

**IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

ALVERENE D. BUTLER,
Plaintiff

v.

**ALABAMA DEPARTMENT OF
TRANSPORTATION, *et al.*,**
Defendant.

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CIVIL ACTION NO.: 2:06cv278-MEF

REPORT OF THE PARTIES' PLANNING MEETING

1. **Appearances.** Pursuant to Fed. R. Civ. P. 26(f), a teleconference was held on July 21, 2006 among the following participants:

Jay Lewis
Law Offices of Jay Lewis, LLC
Attorney for Plaintiff

Harry Lyles
Alabama Department of Transportation
Attorney for Defendant

2. **Pre-Discovery Disclosures.** The parties will exchange by August 21, 2006, the information required by Fed. R. Civ. P. 26(a)(1).
3. **Discovery Plan.** The parties jointly propose to the court the following discovery plan:

- a. Discovery will be needed on the following subjects:
1. All information pertaining to Plaintiff's claims and damages.
 2. All information pertaining to Defendants' defenses.
- b. All discovery commenced in time to be completed by March 19, 2007.
- c. There will be a maximum of 30 interrogatories by each party to any other party. The responses will be due 30 days after service.
- d. There will be a maximum of 30 requests for production of documents by each party to any other party. The responses will be due 30 days after service.

- e. There will be a maximum of 30 requests for admission by each party to any other party. Responses will be due 30 days after service.
- f. The parties agree that no more than 10 depositions may be taken by a party without leave of the court or agreement of the parties. Each deposition is limited to a maximum of 7 hours unless extended by agreement of the parties.
- g. Reports from retained experts under Rule 26(a)(2) will be due from Plaintiff by October 23, 2006, and from Defendant by November 23, 2006.
- h. Supplementation of the disclosures under Rule 26(e) will be due within 30 days before the end of the discovery period.

4. **Other items.**

- a. **Scheduling Conference**
The parties **do not** request a conference with the court before entry of the scheduling order.
- b. **Pretrial Conference**
The parties request a pretrial conference in April, 2007.
- c. **Additional Parties, Claims and Defenses**
The parties must join additional parties and amend the pleadings by September 18, 2006.
- d. **Dispositive Motions**
All potentially dispositive motions should be filed by January 23, 2007.
- e. **Settlement**
Settlement and the possibility of mediation cannot be evaluated until some discovery is complete.
- f. **Trial Evidence**
The final list of witnesses and trial evidence under Rule 26(a)(3) should be due three weeks before trial. The parties should have 14 days after service to list objections under Rule 26(a)(3).
- g. **Trial Date**
This case should be ready for trial by June 4, 2007, and at this time is expected to take approximately 1 day of trial time.

Date: August 3, 2006

/s/JAY LEWIS

Jay Lewis

ASB-2014-E66J

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/s/HARRY A. LYLES

Harry A. Lyles

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R. Mitchell Alton, III (ALT003)

Jim R. Ippolito, Jr. (IPP001)

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